

September 12, 2002

(AE-17J)

Robert F. Hodanbosi, Chief  
Division of Air Pollution Control  
Ohio Environmental Protection Agency  
122 South Front Street  
P. O. Box 1049  
Columbus, Ohio 43266-1049

Dear Mr. Hodanbosi:

The purpose of this letter is to inform you that Advanced Organics Incorporated (AOI) must submit a Title V permit application immediately.

AOI conducted emission testing for its two feed ingredient dryer lines (P001 and P002) on May 26 and 27, 1999. The test showed the actual VOC emissions of the units to be well above the major source threshold and AOI's emission limitations. AOI contested the results, but, when responding to an October 26, 1999, U.S. EPA Request for Information Letter, AOI provided information demonstrating that the actual VOC emissions of the dryer lines had been above the major source threshold prior to the test. Because the actual emissions of these newly installed emission sources are above the major source threshold, AOI is subject to the prevention of significant deterioration (PSD) program (Part C under Title I of the Clean Air Act). I understand that you currently are processing AOI's request for a PSD permit for these units.

Section 502(a) of the Clean Air Act prohibits sources required to have a permit under Part C or D of Title I from operating except in compliance with a permit issued under Title V.

SEC. 502. PERMIT PROGRAMS.

(a) Violations.- After the effective date of any permit program approved or promulgated under this subchapter, it shall be unlawful for any person to violate any requirement of a permit issued under this subchapter, or to operate an affected source ... required to have a permit under parts C or D of subchapter I of this chapter, ... except in compliance with a permit issued by a permitting authority under this subchapter.

The Clean Air Act makes clear that, since AOI is required to obtain and comply with a PSD permit, it is subject to Title V permitting.

If you have any questions or wish to discuss this issue further, please call Will Brooke, of my staff, at (312) 886-0258.

Sincerely yours,

/s/

William MacDowell, Chief  
Air Enforcement and Compliance Assurance Section MN/OH

cc: Don Waltermeyer, OEPA - NWDO